

1 **LeonGuerrero_M.taxgar9**

2 LEONARDO M. RAPADAS
3 United States Attorney
JESSICA F. CRUZ
4 Assistant U.S. Attorney
MIKEL W. SCHWAB
5 Assistant U.S. Attorney
Sirena Plaza, Suite 500
6 108 Hernan Cortez Avenue
Hagåtña, Guam 96910-5059
7 TEL: (671) 472-7332
FAX: (671) 472-7215

8 Attorney's for United States of America
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10
11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE DISTRICT OF GUAM

13 UNITED STATES OF AMERICA,)	CRIMINAL CASE NO. 97-00026
)	
14 Plaintiff,)	
)	
15 vs.)	
)	
16 MELVIN LEON GUERRERO,)	ORDER OF GARNISHMENT
)	
17 Defendant,)	
_____)	
18 DEPARTMENT OF REVENUE)	
19 AND TAXATION,)	
20 GOVERNMENT OF GUAM,)	
)	
21 Garnishee.)	
_____)	

22
23 ORDER OF GARNISHMENT

24 This matter is before the Court for consideration of the entry of a final order in
25 garnishment pursuant to Section 3205 of the Federal Debt Collection Procedures Act of 1990,
26 28 U.S.C. § 3205, against the income tax refunds and earned income credits of the judgment
27 defendant, MELVIN LEON GUERRERO.

28 //

1 An Application of Writ of Garnishment directed to Garnishee has been duly issued and
2 served upon the Garnishee. Pursuant to the Writ of Garnishment, the Garnishee filed an Answer
3 stating that at the time of the service of the Writ it had in its possession or under its control
4 personal property belonging to and due defendant, in the form of Income Tax Refunds and
5 Earned Income Credits. The Garnishee claimed the GMH liability of \$268.48.

6 The defendant was served with a copy of the Writ of Garnishment and notified of his
7 right to a hearing. The defendant has not requested a hearing to determine exempt property.

8 Whereupon the Court, having considered the Application for a Writ of Garnishment
9 against the income tax refunds and earned income credits of the Defendant, the Answer of the
10 Garnishee, and noting that the defendant, MELVIN LEON GUERRERO, has not exercised his
11 right to request a hearing now finds that the entry of a final order of garnishment is in all respects
12 proper.

13 IT IS THEREFORE ORDERED Garnishee shall pay to plaintiff the balance of
14 Defendant's income tax refunds and earned income credits as of May 13, 2008, the date
15 Garnishee received the Writ of Garnishment, or \$14,801.52 plus interest. The payment shall be
16 made payable to the "**Clerk, District Court of Guam**" and sent to the District Court of Guam,
17 District Court of Guam, 4th Floor, U.S. Courthouse, 520 West Soledad Avenue, Hagåtña, Guam
18 96910.

19 IT IS FURTHER ORDERED that any and all amounts which the Garnishee may be
20 holding pursuant to the Writ of Garnishment shall immediately be turned over to the Clerk's
21 Office at the above address.

22 **SO ORDERED.**



/s/ Frances M. Tydingco-Gatewood
Chief Judge
Dated: Jul 03, 2008